

U.S. DISTRICT COURT  
PORTLAND, MAINE  
RECEIVED AND FILED

UNITED STATES DISTRICT COURT SEP 15 A 10:52  
DISTRICT OF NEW HAMPSHIRE

Northwest Bypass Group;  
Morton C. Tuttle;  
Carolyn H. Tuttle; and  
Leslie J. Ludtke,  
Plaintiffs

v.

Civil No. 06-cv-258-JD

US Army Corps of Engineers;  
Lt. General Carl A. Strock,  
Chief Engineer of the  
US Army Corps of Engineers;  
Colonel Curtis Phalken,  
New England District  
Commander of the US Army  
Corps of Engineers; and  
City of Concord, New Hampshire

v.

Concord Hospital, and  
St. Paul's School,  
Intervenor Defendants

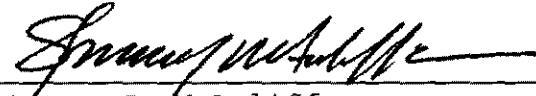
O R D E R

All of the judges in this district were recused from presiding over this case. Accordingly, the case shall be referred to the District of Maine; sitting by designation.

The recusal of all of the judges on this court gives rise to an "emergency" with respect to the referred case as that term is used in 28 U.S.C. § 636(f). I therefore concur in the assignment

of a magistrate judge from the designated district to perform the duties specified in 28 U.S.C. § 636(a)-(c).

SO ORDERED.

  
Steven J. McAuliffe  
Chief Judge

September 6, 2006

cc: Clerk, USDC, Maine  
Gordon R. Blakeney, Jr., Esq.  
Daniel R. Dertke, Esq.  
Samantha Klein, Esq.  
John P. Almeida, Esq.  
E. Tupper Kinder, Esq.  
Bruce W. Felmly, Esq.  
Gregory H. Smith, Esq.

Concurring Order

I concur that an emergency exists as specified above and that for the duration of this case Magistrate Judge KRAVCHUK is assigned to perform such duties under 28 U.S.C. § 636(a)-(c) as may be assigned to <sup>her</sup>~~him~~ by the district judge to whom this case is assigned.

  
Chief Judge, Assignee District

Date: 9/15/06

cc: Gordon R. Blakeney, Jr., Esq.  
Daniel R. Dertke, Esq.  
Samantha Klein, Esq.  
John P. Almeida, Esq.  
E. Tupper Kinder, Esq.  
Bruce W. Felmy, Esq.  
Gregory H. Smith, Esq.